

**MICHIGAN DOMESTIC AND SEXUAL VIOLENCE
PREVENTION AND TREATMENT BOARD**

**MEETING MINUTES
May 16, 2014**

***** APPROVED *****

Members Present:

Dr. Cris Sullivan, Chair
Sgt. Yvonne Brantley
Jeffrie Cape
Honorable Jeffrey Sauter

Members Absent:

Honorable E. Libby Pollard Hines
Kathryn Hoover
James Fink

Staff Present:

Patsy Baker
Debi Cain
Celeste Colton
Donna Cornwell
Debbie Felder-Smith
Carol Hackett Garagiola
Julie Giddings
Gail Krieger
Tiffany Martinez
Sandra Pilgrim-Lewis
Karen Porter
Lore Rogers
LaShawn Thurman, Board Secretary

Guests:

Charisse Mitchell, Center for Women in Transition
Tom Robertson, Prosecuting Attorney's Coordinating Council
Sara Thornton, Wayne State University
Stacy Westra, State Court Administrative Office
Lisa Winchell-Caldwell, Michigan Coalition to End Domestic and Sexual Violence

Welcome and Introductions

Chair C. Sullivan convened the May 16, 2014 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at Department of Human Services – Grand Tower Building in Lansing, Michigan at 2:09 p.m. Introductions were made and a welcome extended to guests.

BOARD CONSENT

Review of agenda; approval of the March 13, 2014 meeting minutes.

MOTION: Moved by Y. Brantley to approve the March 13, 2014 minutes and the May 16, 2014 meeting agenda. Seconded by J. Cape. Motion carried.

CHAIR'S REPORT

C. Sullivan thanked Y. Brantley for her participation in a MDSVPTB police training video and also thanked J. Sauter for his willingness to testify before the legislature earlier this week.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE

D. Cain updated the Board on three funding areas up for bid this spring: SACS (Sexual Assault Comprehensive Services), TSH (Transitional Supportive Housing) & ES (Emergency Services).

D. Cain reported that the second part of the SACS grant is for programs which also have a SANE program.

D. Cain reminded the Board that last year Director Corrigan shifted the DHS ES funds (\$1.8 million) used for domestic violence shelter services to the Board as a part of our Domestic Violence Comprehensive grants. D. Cain is suggesting that this \$1.8 million be put into the domestic violence comprehensive formula so that it would be added into the current funding for all 83 counties beginning October 1, 2014.

Motion: Moved by J. Sauter that the ES dollars be moved into the domestic violence comprehensive formula, utilizing the 2010 census data, effective October 1, 2014. Seconded by Y. Brantley. Motion carried.

Staff recommends that any additional funds the Board receives to administer specifically for shelter expenses also be applied to the domestic violence comprehensive formula, utilizing the 2010 census data.

Motion: Moved by J. Cape any additional funds specifically for emergency shelter also be applied to the domestic violence comprehensive formula, utilizing the 2010 census data. Seconded by J. Sauter. Motion carried.

D. Cain updated Board on her recent attendance at the FVPSA (Family Violence Prevention & Services Act) conference and the many references to the research conducted by our own C. Sullivan.

D. Cain requested the Board review tab 10 of the Board packet. Board members acknowledged that they had an opportunity to review a list of other bills of interest to the Board's constituency that had been introduced since the Board's March 13, 2014 meeting.

G. Krieger reported on HB 5445 & SB 901 and the H1 substitute. These bills direct law enforcement agencies to submit sexual assault evidence kits (SAKs) for forensic testing. The bills further direct health providers to store unreleased SAKs for one year. G. Krieger outlined timelines in the bill for retrieval of SAKs from health facilities, submission of SAKs to a forensic laboratory, forensic testing, and post forensic testing storage of SAKs by law enforcement agencies.

Motion: Moved by J. Sauter to support HB 5445 & SB 901 and the H1 substitute. Seconded by Y. Brantley. Motion carried.

L. Rogers presented on the H-1 substitute for HB 5082, which authorizes courts to appoint parenting coordinators in child custody cases. L. Rogers explained that the sponsor and Family Law section of

the State Bar are requesting that the Board consider withdrawing its opposition to the bill in light of the amendments in the substitute.

L. Rogers highlighted some of the changes that have been made to the bill and that are set out in the updated memo analysis prepared by M. Lovik and included in the board packet.

Motion: Moved by J. Sauter that the Board withdraw its opposition to the bill and that the Board suggest to the sponsor that the provision creating immunity from civil liability be limited to cases that do not involve gross negligence or wilful misconduct on the part of a parenting coordinator plus any additional concerns noted by staff. Seconded by J. Cape. Motion carried.

C. Hackett Garagiola reported on HB 5270, which will amend the Child Protection Law to mandate law enforcement officers and child protective service workers who are conducting forensic interviews of children in child advocacy centers or accredited facilities be video-recorded as a best practice for a criminal prosecution or child protection proceeding investigation.

C. Hackett Garagiola reported on HB 5271, which amends the criminal law procedure if defendant in criminal case requests a copy of the video, the court has to issue an order with protective conditions in it regarding how it can/cannot be used.

C. Hackett Garagiola reported on HB 5272, which amends the Child Protection Law to allow recordings to be used in hearings to amend or expunge child abuse registry.

Motion: Moved by C. Sullivan to oppose HB 5270, HB 5271 & HB 5272. Seconded by Y. Brantley. Motion carried.

L. Rogers provided an update on SB 789, which would transfer the functions of county concealed weapon licensing boards to county clerks and the Michigan State Police, and would permit courts to order that county clerks immediately issue temporary concealed pistol licenses to a PPO petitioner without first investigating whether the petitioner is eligible to receive one. Courts could waive the 6-month Michigan residency requirement in issuing such an order. L. Rogers also noted that HB 5355 would exempt PPO petitioners with concealed pistol licenses from the statutory prohibitions on carrying concealed weapons in areas such as schools, sports arenas, bars, houses of worship, hospitals, large entertainment facilities, and college dormitories or classrooms.

Motion: Moved by J. Sauter to applaud the intent of the bills and recommend including a provision for the court to conduct an immediate electronic background check before ordering the clerk to issue a temporary license to a PPO petitioner. Seconded by Y. Brantley. Motion carried.

G. Krieger provided an overview of several bill proposals under development in Rep. Santana's office.

G. Krieger advised the Board of Rep. Santana's proposal that would authorize law enforcement agencies to seize firearms and ammunition at the scene of domestic violence incidents.

Motion: Moved by Y. Brantley to support these concepts so that staff can continue to work with the sponsor as this legislation continues to develop. Seconded by J. Cape. Motion carried.

G. Krieger advised the Board on Rep. Santana's proposals that implicate survivor privacy including an anti-trolling proposal that would restrict attorney solicitations in divorce cases. The Board expressed

concern that the sanctions in proposed anti-trolling provision were an insufficient deterrent and may want to explore increasing sanctions to a felony given the potential extreme danger this represents. The Board further recommended exploring a policy or court rule to allow petitioners in a divorce action to request that publication of the filing be delayed until service has been completed.

G. Krieger advised the Board on additional Rep. Santana's proposals under development which: create an address confidentiality program in the Attorney General's office, protect survivors' addresses in appellate proceedings, add animal protection to PPO's, increase penalty for animal cruelty committed in the course of domestic violence is present, removal of disqualification for receiving unemployment benefits (staff recommend the addition of sexual assault). G. Krieger advised that the Board has previously supported general principals or similar legislation which allows staff to work on the development of these proposals.

Additional Rep. Santana proposals under development include prohibiting discrimination in housing for domestic violence cases, prohibiting courts ordering mediation, adding assault on pregnant women to the list of misdemeanors, and requiring the Department of Education to adopt a model dating violence curriculum will be brought back to the Board after further development.

D. Cain requested that T. Martinez & L. Rogers update the Board on the progress of the STOP Planning process, including a brief explanation of how other States allocate their STOP funds.

BOARD MEMBER ANNOUNCEMENTS

Y. Brantley stated that she will be transferring her work location back to Bay City.

J. Cape informed the Board that BISCMI (Batterer Intervention Coalition of Michigan) will be providing a training June 20, 2014 in Washtenaw County regarding incorporating various media in batterer intervention programs.

PUBLIC COMMENT:

No comments.

ADJOURNMENT:

Motion: Moved by Y. Brantley. Seconded by J. Cape. Motion carried.

The meeting ended at 4:30 p.m.

Respectfully submitted,
LaShawn Thurman